



ALAMEDA COUNTY
CONGESTION MANAGEMENT AGENCY

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Memorandum

February 3, 2009

Agenda Item 3.1

HANDOUT

DATE: February 3, 2009
TO: ACTAC
FROM: Matt Todd, Manager of Programming
RE: Federal Economic Stimulus – Local Streets and Roads (LSR) Rehabilitation Programming

Action Requested

ACTAC is requested to recommend the Plans and Programs Committee (PPC) approve a final program of projects. MTC has provided a target of about \$28M that could be available for LSR projects in Alameda County through the American Recovery and Reinvestment Act of 2009. MTC has requested a final program by February 9th.

Next Steps

The PPC will be requested to approve a final program on February 9, 2009. The final program of projects is requested by MTC on February 9, 2009.

Discussion

Staff has been working with sponsors to collect additional information from agencies that indicated they could expend federal funds. Staff is also working with agencies to facilitate exchanges. The exchanges would provide additional federal funds to some agencies in exchange for providing local funds, which would then be used to deliver the LSR projects not receiving federal funds. This will allow the Alameda Program to deliver the overall Economic Stimulus LSR Program with fewer projects, and allow Caltrans Local Assistance resources to focus on fewer obligation authority requests.

Attachments:

- A - Proposed Program Schedule
- B - Federal Economic Stimulus LSR Programming Policy
- C - Background Information
- D - Fund Application Target Information

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Draft Schedule – LSR Economic Stimulus

CMA Issues Call for Projects to Jurisdictions	01/22/09
CMA Board Meeting	01/22/09
Project Applications due to CMA	01/27/09
Special ACTAC meeting	01/28/09
Draft LSR Program due to MTC	01/28/09
ACTAC approves final list	02/03/09
PPC approves final list	02/09/09
CMA Transmits final list of projects to MTC	02/9/09
MTC's Programming and Allocations Committee	02/11/09
CMA Board Meeting	02/26/09

Federal Economic Stimulus LSR Programming Policy

Project Screening

- Project is federal aid eligible
- Capital Funding – Projects will only be considered for the construction phase components
- Agency must have a certified Pavement Management System in place

Project Readiness Criteria

- Project readiness – It is anticipated that projects will be required to obligate and/or award the construction phase of a project within 90-150 days of the approval of the Federal Economic Stimulus Package. If that is the case and the federal legislation is approved mid-February, projects will likely need to be obligated by mid-May 2009. **This will be a primary criteria considered in the program evaluation.**
 - Projects with completed environmental documentation, 100% PSE packages, and completed ROW certification will receive priority
 - Projects will be required to demonstrate a full funding plan
- Local Assistance Submittal - Projects that have already completed the documentation required by Caltrans Local Assistance will be prioritized
- DBE Program - Agencies are required to have a FFY 08/09 DBE Program to receive an obligation.

Other Criteria

- Project Type – Local Streets and Roads projects will be prioritized
- Minimum Project Size – Staff proposes a minimum federal grant request of \$0.5 M, unless a jurisdiction's initial target is below that threshold. Staff has received indications that Caltrans Local Assistance resources will be prioritized to first address larger projects that have obtained Environmental Clearance.
- Prioritization – Sponsors will be required to prioritize project submittals. This will facilitate modifications to the program if the final legislation differs from initial assumptions.
- Matching Funds – Projects with matching funds may be prioritized and/or considered for exchange opportunities.
- Equity Issues-Programming will be reviewed in relation to the MTC 25%/25%/25%/25% LSR Formula regarding equity.
- Double Jeopardy – Projects that do not meet the required obligation and/or award deadline may be subject to the CMA Double Jeopardy policy (attachment D). The final obligation and/or award deadline will be determined based on the final MTC resolution that sets the requirements for the MTC region.

MTC has indicated that other categories of projects may be eligible (bicycle, pedestrian, safety, bridge) on a very limited basis.

It is anticipated that federal funds will be eligible for up to 100% of the project cost. Staff will also consider exchange opportunities in the programming process. The CMA will continue to work with MTC and sponsors on strategies that can expedite the process and ensure delivery.

Background Information

The Federal Economic Recovery Legislation is under discussion in Congress. Though we do not know many of the specific details that will be included in the final version, we understand that the legislation is anticipated to be approved by mid-February prior to a Congressional recess.

The amount of funds to be included in the legislation, including the amount of funds available for roadway infrastructure, and the years of availability are unknown. The latest information indicates that the amount of time that will be allowed to obligate and/or award the economic stimulus projects will be in the 75-150 day range. MTC estimates that the region may receive about \$140M of Surface Transportation Program (STP) funds. MTC staff also anticipates that a significant amount of the STP funds will be programmed to Local Streets and Roads (LSR) rehabilitation and maintenance. The Alameda County share of the STP funds for LSR projects is estimated to be \$28 M. Staff requested projects totaling about \$40M in order to accommodate flexibility if certain projects do not meet the minimum program requirements.

At the January Board meeting, authority to approve a program of Local Streets and Roads (LSR) rehabilitation and maintenance projects and final programming policy was delegated to the PPC. The Board also authorized the Executive Director to make program revisions as required in the event the final legislation requirements vary from the programming assumptions used.

Looking Ahead

Looking ahead to the next few months, we are approaching a scenario where a majority of the 110 local agencies in the MTC Region will have secured an E76 authorization to proceed for construction of a local street and road rehabilitation project. In previous federal programming cycles, the projects are often programmed a year or two in advance, and spread over two or three years. Once the economic stimulus package is approved, a large amount of the funding/projects will be anticipated by contractors this summer. We expect a large amount of contracts hitting the market in a short time. It may be beneficial to advertise and award projects on the most expedited basis available to your agency.

Local Streets and Roads

Summary of Proposed Application Targets for Economic Stimulus Funds

Jurisdiction in Alameda County	Total Share per MTC Calculation	Total Share- ACCMA Application Target \$ 40M	Total Share- 80% Level *
County of Alameda**	\$ 2,109,018	\$ 2,994,361	\$ 1,687,214
Alameda	\$ 1,513,331	\$ 2,148,611	\$ 1,210,665
Albany	\$ 242,471	\$ 344,257	\$ 193,977
Berkeley	\$ 1,879,488	\$ 2,668,477	\$ 1,503,591
Dublin	\$ 874,075	\$ 1,241,002	\$ 699,260
Emeryville	\$ 180,577	\$ 256,381	\$ 144,461
Fremont	\$ 4,632,144	\$ 6,576,667	\$ 3,705,715
Hayward	\$ 2,361,190	\$ 3,352,391	\$ 1,888,952
Livermore	\$ 1,754,071	\$ 2,490,410	\$ 1,403,256
Newark	\$ 1,139,908	\$ 1,618,429	\$ 911,926
Oakland	\$ 6,888,726	\$ 9,780,539	\$ 5,510,981
Piedmont	\$ 123,947	\$ 175,979	\$ 99,158
Pleasanton	\$ 1,843,618	\$ 2,617,548	\$ 1,474,894
San Leandro	\$ 1,552,994	\$ 2,204,924	\$ 1,242,395
Union City	\$ 1,077,641	\$ 1,530,023	\$ 862,113
COUNTY TOTAL	\$ 28,173,197	\$ 40,000,000	\$ 22,538,558

* 80% of Total Share per MTC's calculation

** County of Alameda information includes Planning Area 2 and 4.